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PETITION OF

MICHAEL H. DITTON

CASE NO. PUC990176

To investigate Bell Atlantic – Virginia, Inc.

HEARING EXAMINER'S RULING

November 21, 2000

On October 7, 1999, Michael H. Ditton filed a Verified Petition for Redress and Relief ("Petition") with the State Corporation Commission ("Commission") requesting that the Commission investigate Bell Atlantic-Virginia, Inc., now known as Verizon-Virginia, Inc. ("Verizon"), and order Verizon to provide Mr. Ditton with adequate and reliable telephone service.

Pursuant to Hearing Examiner's Ruling dated May 31, 2000, this Petition was scheduled for telephonic hearing on July 26, 2000, and a procedural schedule was established for the filing of prepared testimony and exhibits. Upon motion of Mr. Ditton, the scheduled hearing was canceled; the matter was continued generally; and Mr. Ditton was directed to file with the Commission, on or before November 15, 2000, a statement advising when he would be able to proceed with his case.

Mr. Ditton filed a statement on November 17, 2000, requesting the Commission to proceed in this matter. I now find a new hearing date and procedural schedule should be established. Accordingly,

IT IS DIRECTED:

(1) That a telephonic hearing before a Hearing Examiner is scheduled for February 21, 2001, at 11:00 a.m. Eastern Standard Time for the purpose of receiving evidence on the Petition. If Mr. Ditton is located outside the Eastern Time Zone, he must adjust his time accordingly to participate in the hearing;

(2) That, on or before February 7, 2001, Mr. Ditton shall file the telephone number from which he will participate in the hearing with the Commission. Mr. Ditton must also provide the telephone numbers of any witnesses he intends to present during the hearing, if the witnesses will not be present at Mr. Ditton's telephone number to withstand cross-examination. All written communications and filings with the Commission should be addressed to Joel H. Peck, Clerk, Virginia State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218 and refer to Case No. PUC990176. IF THE EXAMINER IS UNABLE TO REACH MR. DITTON AT THE TIME DESIGNATED FOR THE HEARING, MR. DITTON MAY LOSE THE OPPORTUNITY TO PARTICIPATE IN THE HEARING;

(3) That, on or before December 28, 2000, Mr. Ditton shall file with the Clerk of the Commission an original and ten (10) copies of any prefiled direct testimony and exhibits he intends to offer at the hearing. The prefiled direct testimony should be in the form of questions and answers which clearly state the nature of the claim, the specific relief sought, and the legal and factual reasons supporting the claim. Mr. Ditton shall also serve a copy of his prefiled direct testimony and exhibits on David W. Ogburn, Esquire, Verizon, 600 East Main Street, 11th Floor, Richmond, Virginia 23219;

(4) That, on or before January 17, 2001, the Commission's Staff shall file with the Clerk of the Commission an original and ten (10) copies of any additional testimony and exhibits Staff intends to present at the hearing, and shall simultaneously serve a copy on Mr. Ditton and Verizon;

(5) That, on or before January 17, 2001, Verizon shall file with the Clerk of the Commission an original and ten (10) copies of any testimony and exhibits Verizon intends to present at the hearing, and shall simultaneously serve a copy thereof on Michael H. Ditton, P.O. Box 1293, Bozeman, Montana 59771;

(6) That, on or before February 7, 2001, Mr. Ditton shall file an original and ten (10) copies of any testimony and exhibits he expects to introduce in rebuttal to all of the direct prefiled testimony and exhibits of Verizon, and simultaneously send a copy thereof to David W. Ogburn, Esquire, Verizon, 600 East Main Street, 11th Floor, Richmond, Virginia 23219; and

(7) Rule 6:4, Interrogatories to Parties or Requests for Production of Documents and Things, 5 VAC 5-10-480, shall be modified for this proceeding to the extent that answers and objections shall be served within ten (10) calendar days after receipt by mail or any other means.

Alexander F. Skirpan, Jr.
Hearing Examiner